

UNITED STATES DISTRICT COURT
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

www.cand.uscourts.gov

Richard W. Wieking
Clerk

January 30, 2008

FILED

2008 FEB -4 PM 12:41

General Court Number
CLERK'S OFFICE
SOUTHERN DISTRICT OF CALIFORNIA
415,522,2000

BY RM DEPUTY

United States District Court-Southern District of California (San Diego)
880 Front Street
San Diego, CA 92101

'08 CV 0235 BTM POR

RE: CV 08-00042 JSW Q. DIAZ GATES-NGUYEN-v-S.J. CARROLL

Dear Clerk,

Pursuant to an order transferring the above captioned case to your court, transmitted herewith
are:

- ☒ Certified copy of docket entries.
- ☒ Certified copy of Transferral Order.
- ☒ Original case file documents.
- ☐ Please access the electronic case file for additional pleadings you may need. See the attached instructions for details.

2254	1983	✓
FILING FEE PAID		
Yes	No	✓
IFP MOTION FILED		
Yes	No	✓
COPIES SENT TO		
Court	ProSe	✓

Please acknowledge receipt of the above documents on the attached copy of this letter.

Sincerely,
RICHARD W. WIEKING, Clerk

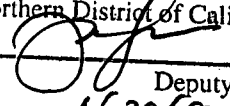


by: Hilary D. Jackson
Case Systems Administrator

Enclosures
Copies to counsel of record

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST:

RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of California

By  Deputy Clerk

Date 1/30/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Q. GATES DIAZ NGUYEN,

Plaintiff,

vs.

S. J. CARROLL, et al,

Defendants.

No. C 08-0042 JSW (PR)

ORDER OF TRANSFER

(Docket No. 2)

Plaintiff, a prisoner of the State of California, currently incarcerated at the R. J. Donovan Correctional Facility in San Diego, California has filed this a prisoner of the State of California, currently incarcerated at the R. J. Donovan Correctional Facility in "legal malpractice false imprisonment action" against the San Diego Public Defender and the Alternate Defender's Office, regarding conflicts of interest during their representation of Plaintiff and others. San Diego County is located within the venue of the United States District Court for the Southern District of California.

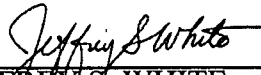
When jurisdiction is not founded solely on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court "in the interest of justice." 28 U.S.C. § 1406(a). Venue may be raised by the court sua sponte where the defendant has not yet

1 filed a responsive pleading and the time for doing so has not run. *Costlow v. Weeks*, 790
2 F.2d 1486, 1488 (9th Cir. 1986).

3 Plaintiff complains about his legal representation by an attorney in San Diego
4 County, within the venue of the Southern District of California. See 28 U.S.C. § 84.
5 Therefore, the Court will transfer this action to the United States District Court for the
6 Southern District of California. Accordingly, IT IS ORDERED in the interest of justice,
7 and pursuant to 28 U.S.C. § 1406(a), that this action be TRANSFERRED to the United
8 States District Court for the Southern District of California. In light of the transfer, the
9 Court will not resolve Petitioner's pending motion to proceed *in forma pauperis* (docket
10 no. 2). The Clerk of the Court shall transfer this matter forthwith.

11 IT IS SO ORDERED.

12 DATED: January 29, 2008

13 
14 JEFFREY S. WHITE
15 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 Q. DIAZ GATES-NGUYEN et al,
6
7 Plaintiff,

Case Number: CV08-00042 JSW

CERTIFICATE OF SERVICE

8 v.

9 S.J.CARROLL et al,
10 Defendant.
11

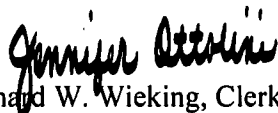
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on January 29, 2008, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
delivery receptacle located in the Clerk's office.

16
17 N. Garrucha
18 T94013
19 446 Alta Road #7775738
San Diego, CA 92158-1219

20 Q. Gates Diaz Nguyen
21 446 Alta Road #7775738
S.D., CA 92158-1219

22 Dated: January 29, 2008

23 
Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk
24
25
26
27
28

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST:

RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of California

CLOSED, ProSe

By [Signature] Deputy Clerk U.S. District Court
California Northern District (San Francisco)
Date 1/30/08 CIVIL DOCKET FOR CASE #: 3:08-cv-00042-JSW
Internal Use Only

Nguyen et al v. Carroll
Assigned to: Hon. Jeffrey S. White
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/04/2008
Date Terminated: 01/29/2008
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Q. Gates Diaz Nguyen

represented by **Q. Gates Diaz Nguyen**
446 Alta Road #7775738
S.D., CA 92158-1219
PRO SE

Plaintiff

N. Garrucha

represented by **N. Garrucha**
T94013
446 Alta Road #7775738
San Diego, CA 92158-1219
PRO SE

V.

Defendant

S.J. Carroll

Date Filed	#	Docket Text
01/04/2008	1	COMPLAINT against S.J. Carroll (Filing fee \$ 350-ifpp). Filed by Q. Gates Diaz Nguyen, N. Garrucha. (hdj, COURT STAFF) (Filed on 1/4/2008) (Entered: 01/08/2008)
01/04/2008	2	MOTION for Leave to Proceed in forma pauperis filed by Q. Gates Diaz Nguyen, N. Garrucha. (hdj, COURT STAFF) (Filed on 1/4/2008) (Entered: 01/08/2008)
01/04/2008	3	CLERK'S NOTICE re completion of In Forma Pauperis affidavit or payment of filing fee due within 30 days. (hdj, COURT STAFF) (Filed on 1/4/2008) (Entered: 01/08/2008)
01/04/2008	4	CLERK'S NOTICE re completion of In Forma Pauperis affidavit or payment of filing fee due within 30 days. (hdj, COURT STAFF) (Filed on 1/4/2008) (Entered: 01/08/2008)
01/29/2008	5	ORDER OF TRANSFER. Signed by Judge Jeffrey S. White on 1/29/08. (jjo, COURT STAFF) (Filed on 1/29/2008) (Entered: 01/29/2008)
01/29/2008	6	(Court only) ***Civil Case Terminated. (hdj, COURT STAFF) (Filed on 1/29/2008) (hdj, COURT STAFF). (Entered: 01/30/2008)

JOSE HENDERSON
450 GOLDEN GATE AVENUE
S.F., CA 94102-3403

DIAZ, GATES, ETAL., PLAINTIFFS,

VS.

S.J. CARROLL, ETAL., DEFENDANTS.

E-Filing

C 08

0042

CASE #

JSW

CLASS ACTION COMPLAINT - LEGAL MALPRACTICE FALSE IMPRISONMENT: PI/PD/WO (23) (PR)

- (A) JURISDICTION:** MANY OF THE PLAINTIFF CLASS AND DEFENDANTS ARE IN THIS DISTRICT AS WELL AS MANY WITNESSES AND N3-RESEARCH AND DEVELOPMENT (RAD) TARS SYSTEMS (28 U.S.C. § 1343 A)
- (B) PARTIES:** PLAINTIFFS IN CDCR PRISONS AND COUNTY JAILS HAD BEEN REPRESENTED IN COURT BY THE PUBLIC DEFENDERS (PD) WHO COMMIT LEGAL MALPRACTICE WHEN THEY WOULD NOT ALLOW THE PLAINTIFF CLASS TO OBTAIN A PRIVATE CONFLICT COUNSEL (PCC) UPON CLAIMED CONFLICTS.
- (C) CAUSES OF ACTIONS:** THE ATTORNEYS OF PD S.J. CARROLL (1974 USD) AND ALTERNATE PD (APD) HAVE REPRESENTED PLAINTIFFS AS CRIMINAL CASE DEFENDANTS (CCD), DESPITE GOOD FAITH ASSERTION OF CONFLICT OF INTEREST (COI) THE PD AND APD ATTORNEYS PREVENTED REASSIGNMENT OF DEFENSE COUNSEL. (LEVERSEN V. SUPERIOR COURT, 1983, 34 CSO 530; ALEVES V. SUPERIOR COURT, 1996, 51 CA 4TH 584)
- (D) ADMINISTRATIVE RELIEF:** PLAINTIFFS HAVE: VERBALLY REQUESTED; PROCESSED MARSDEN MOTIONS; COMPLAINED TO JUDGES BUT THE PD AND APD HAVE DENIED PLAINTIFFS' RIGHT TO COMPETENT COUNSEL.
- (E) REQUEST FOR RELIEF:** THE PLAINTIFFS REQUEST THE HONORABLE JUDGE TO ORDER DEFENDANTS: ① TO PAY DAMAGES OF \$3-MILLION PER PLAINTIFF; ② TO PAY PUNITIVE DAMAGES OF \$12-MILLION PER PLAINTIFF CLASS; ③ TO ALLOW PHASE-3 TARS DATA SUBPOENA; ④ TO PROCEED VIA MAGISTRATE JUDGE (28 U.S.C. § 636 (c)(1)); AND ⑤ TO FOLLOW AND OBEY ANY ORDERS DEEMED FIT AND PROPER SINCE THE LEGAL MALPRACTICE PARTIALLY CAUSED THE PREVENTABLE WILDOFTRES IN 2007.

PLD, ETAL. (REVIEWERS)
ATTN: DONALD SPECTER
PLD GENERAL DELIVERY
SAN QUENTIN, CA 94964

ROSEN, LLP (REVIEWERS)
ATTN: ANNE MANJA
BOX 390 LAW FIRM
S.F., CA 94104-1219

MR. Q. DIAZ (AGENT) AB-226
ATTN: N. GARRUCHA LEGAL MAIL
446 ALTA ROAD # 775738
SAN DIEGO, CA 92158-1219

FEDERAL REVIEWER)
ATTN: FRED FIELDING
1600 PENNSYLVANIA AVENUE
WASHINGTON, DC 20500

DIAZ, GATES, ETAL, PLAINTIFFS,

VS.

S.J. CARROLL, ETAL, DEFENDANTS.

CASE#

CLASS ACTION COMPLAINT-LEGAL MALPRACTICE FALSE IMPRISONMENT: PI/PD/WD (23)

(A) TO: HONORABLE U.S. DISTRICT COURT CLERK

THE FOLLOWING PERSONS ARE PLAINTIFF CLASS MEMBERS OF THE ENCLOSED COMPLAINT:

[Q. DIAZ GATES-NGUYEN
ATTN: N. GARRUCHA #7775738
446 ALTA 5300 LEGAL MAIL
S.D., CA 92158-1219

[MELINDA GATES
ATTN: ROSEN, LLP
BOX 390 LAW FIRM
S.F., CA 94104-1219

[WILLIAM GATES
ATTN: PRISON LAW OFFICE
PLO GENERAL DELIVERY
SAN QUENTIN, CA 94964

[N. G. GARRUCHA-GALLEGO
ATTN: PRISON LAW OFFICE
PLO GENERAL DELIVERY
SAN QUENTIN, CA 94964

[PENELOPE COOPER
ATTN: PLO PRESIDENT
PLO GENERAL DELIVERY
SAN QUENTIN, CA 94964

[LOU G. GALLEGO
ATTN: LAW ADMINISTRATOR
106 CHUICHICO DRIVE
DENVER, CO 80932

[N. G. GATES-GALLEGO
ATTN: MTC 96932 LAW
BOX 5510
AGANA, GU 96932

[KENNETH HENRIE
ATTN: NM DEFENSE TEAM
501 SOUTH MAIN #700
LAS CRUCES, NM 88001

[GALLEE GATES
ATTN: VET BILL
BOX 911 MTC-000
LA JOLLA, CA 92037

[KARIN WINNER
ATTN: LEGAL COUNSEL
BOX 120191
S.D., CA 92112-9790

[JAMES CASINO
ATTN: MTC-RETT
299-17TH STREET
S.D., CA 92101

[BRAD PEUGEOT
ATTN: V64478 LEGAL MAIL
BOX 799002
S.D., CA 92179-9002

(B) WHEREAS MANY THOUSANDS OF HOMES WERE LOST IN WILDFIRES DUE TO LEGAL MALPRACTICE, THE CLASS ACTION AGENTS WILL SEND UPDATES OF CLASS MEMBERS WEEKLY.

Q. Diaz Gates Nguyen

MR. Q. DIAZ GATES-NGUYEN
ATTN: N. GARRUCHA T94013
446 ALTA ROAD # 7775738
S.D., CA 92158-1219 LEGAL MAIL

E-Filing

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FILED
08 JAN 11 AM 10:29
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir or Madam:

Your complaint has been filed as civil case number

JSW (PR)

✓ A filing fee of \$350.00 is now due. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety. If the application is granted, you will not have to prepay the fee, but it will be taken out of income to your prisoner account in installments.

Your complaint is deficient because you did not pay the filing fee and:

1. ✓ you did not file an In Forma Pauperis Application.
2. the In Forma Pauperis Application you submitted is insufficient because:

_____ You did not use the correct form. You must submit this court's current Prisoner's In Forma Pauperis Application.

_____ Your In Forma Pauperis Application was not completed in its entirety.

_____ You did not sign your In Forma Pauperis Application.

✓ _____ You did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison.

✓ _____ You did not attach a copy of your prisoner trust account statement showing transactions for the last six months.

_____ Other _____

Enclosed you will find this court's current Prisoner's In Forma Pauperis Application, which includes a Certificate of Funds in Prisoner's Account form, and a return envelope for your convenience.

Warning: YOU MUST RESPOND TO THIS NOTICE. If you do not respond within **THIRTY DAYS** from the filing date stamped above, your action will be **DISMISSED**, the file closed and the entire filing fee will become due immediately. Filing a prisoner's In Forma Pauperis Application will allow the court to determine whether installment payment of the filing fee should be allowed.

Sincerely,
RICHARD W. WIEKING, Clerk,

By Ms
Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JSW

Dear Sir or Madam:

E-Filing

08 JAN -4 AM 10:29

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

0042 (PR)

Your complaint has been filed as civil case number _____

✓ A filing fee of \$350.00 is now due. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety. If the application is granted, you will not have to prepay the fee, but it will be taken out of income to your prisoner account in installments.

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Sincerely,
RICHARD W. WIEKING, Clerk,

By [Signature]
Deputy Clerk

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Q. Gates Diaz Nguyen, et al

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

235 1983

FILING FEE PAID
Yes No ☒

PRE-MOTION FILED
Yes No ☒

COPIES SENT TO
Court ☒ Prisoner ☒

NOTE: IN PRISON CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

2008 FEB -6 PM 12:41
S. J. Carroll
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Q. Gates Diaz Nguyen
446 Alta Road
San Diego, CA 92158
7775738

ATTORNEYS (IF KNOWN)

'08 CV 0235 BIM POR

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PT | DEF | | PT | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(p)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☒ 5 Transferred from another district (specify) NORTHERN CA ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE

Docket Number

DATE 2/4/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Miller